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PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/858,163
Filing Date	May 15, 2001
First Named Inventor	Michael Ehrhart
Group Art Unit	2876
Examiner Name	Kimberly D. Nguyen
Attorney Docket Number	283-325

Total Number of Pages in This Submission

7

ENCLOSURES (check all that apply)☒ Fee Transmittal Form☒ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify below):

One check for \$180.00 (Information Disclosure Statement Fee), one copy of cited references (AA, AP, and AQ), and Return Mail Room Postcard.

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account No. 50-0289.

Express Mail Label No. EV511845259US**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm and Individual name

Wall Marjama & Bilinski LLP

George S. Blasiak

Reg. No. 37,283

Signature

Date

February 2, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail (Express Mail Label No. EV511845259US) in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: February 2, 2005

Typed or printed name

Barbara J. Strodel

Signature

Date

February 2, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act. 2005 (H.R. 4818).**FEE TRANSMITTAL
For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT \$180.00

Express Mail Label EV511845259US

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☒ Deposit Account Deposit Account Number: 50-0289 Deposit Account Name: Wall Marjama & Bilinski LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments ☒ Credit any overpayments
of fee(s) under 37 CFR 1.16 and 1.17**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180
Total Claims		Extra Claims
- 20 or HP =	x	=
HP= highest paid number of total claims paid for, if greater than 20		
Indep. Claims		Extra Claims
- 3 or HP =	x	=
HP = highest number of independent claims paid for, if greater than 3		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a) (1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEES

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other: Information Disclosure Statement Fee	180.00

SUBMITTED BY

Signature	<i>George S. Blasiak</i>	Registration No. 37,283 (Attorney/Agent)	Telephone 315-425-9000
Name (Print/Type)	George S. Blasiak	Date	February 2, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time your require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Express Mail Label No. EV511845259US

Barbara J. Strodel

PATENT

Attorney Docket No.: 283-325

Express Mail Label No. EV511845259US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael EHRHART

Application No.: 09/858,163

Filed: May 15, 2001

For: MULTIMODE IMAGE
CAPTURING AND DECODING
OPTICAL READER

Examiner: Kimberly D. Nguyen

Art Unit: 2876

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of references AA, AP, and AQ are enclosed.

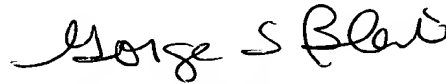
It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR § 1.97(h), no inference should be made that the information and references cited are material to patentability. Also, no inference should be made that a reference is prior art merely because it is included in this statement. Under 37 CFR § 1.97(g), the submission of an information disclosure statement should not be considered as representation that a search has been made.

Applicant submits previously considered information, together with new information, in the present Information Disclosure Statement for purposes of eliminating the possibility of mistakes arising from a cross-referencing process.

Applicant believes that a fee is required for submission of this statement. A check in the amount of \$180.00 is enclosed. The Commissioner is hereby authorized to deduct any additional fees from or credit any overpayments to the undersigned's Deposit Account No. 50-0289.

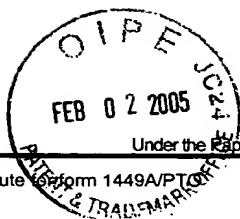
Respectfully submitted,



George S. Blasiak
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Date: February 2, 2005
GSB/bjs



Substitute Form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	09/858,163
Filing Date	May 15, 2001
First Named Inventor	Michael EHRHART
Art Unit	2876
Examiner Name	Kimberly D. Nguyen
Attorney Docket Number	283-325

U.S. PATENT DOCUMENTS

Examiner	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	U.S. Patent Application No. 10/143,158 filed May 10, 2002. (Copy of December 28, 2004 Office Action attached).	Filed 05/10/2002	Michael Ehrhart	
	AB	US-5,180,904	01/19/1993	Shepard et al.	
	AC	US-5,844,227	12/01/1998	Schmidt et al.	
	AD	US-5,942,743	08/24/1999	Schmidt et al.	
	AE	US-5,990,744	11/23/1999	Nagaraj	
	AF	US-5,992,744	11/30/1999	Smith et al.	
	AG	US-6,076,733	06/20/2000	Wilz, Sr. et al.	
	AH	US-6,133,951	10/17/2000	Miyadera	
	AI	US-6,283,375 B1	09/04/2001	Wilz, Sr. et al.	
	AJ	US-6,286,760 B1	09/11/2001	Schmidt et al.	
	AK	US-6,678,425 B1	01/13/2004	Flores et al.	
	AL	US-6,738,092 B1	05/18/2004	Nakagawa et al.	
	AM	US-6,772,949 B2	08/10/2004	Wilz, Sr. et al.	
	AN	US-6,783,069 B1	08/31/2004	Hecht et al.	
	AO	US-6,786,069 B2	09/07/2004	Ochi	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AP	EP	0998147	A1	05/03/2000	Hitachi, Ltd.		<input type="checkbox"/>
	AQ	JP	10224773	A	08/21/1998	Mega Chips:KK	Abstract Attached	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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